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KMCA, PO

SUBJECT: PORTUGAL: TENTH ANNUAL TRAFFICKING IN PERSONS
(TIP) REPORT

REF: STATE 2094

Per reftel, this cable addresses questions in paragraphs 25-30. Embassy Lisbon's point of contact on trafficking is Gina Felix, the Embassy's Political/Economic Assistant, tel: 351-21-770-2331, fax: 351-21-770-6547. The Political-Economic Assistant spent over 120 hours researching and meeting with Embassy contacts in preparation of this TIP report cable.

(U) Summary: During the reporting period, the Portuguese government, in collaboration with civil society, undertook vigorous efforts to combat trafficking in persons, focusing on prevention, prosecution of traffickers, and assistance to victims. In 2009, Portugal handed down the first sentence for the specific crime of human trafficking under the 2007 amendments to the Penal Code. The court convicted and sentenced seven Romanian traffickers to an average of 12 years each, the maximum allowable. The government took the lead in coordinating and implementing an EU-wide TIP database, and continued to train government officials and civil society leaders and to proactively raise public awareness to combat TIP. Post believes that Portugal's previous Tier 2 ranking should be reconsidered in light of the government's demonstrated political will to combat trafficking in persons and its continuous efforts to strengthen its commitment to preventing TIP, protecting victims, and prosecuting traffickers.

[1](#)25. (U) THE COUNTRY'S TIP SITUATION:

[1](#)A. Portugal has numerous sources of credible information on

trafficking in persons, including:

Office of the Coordinator of the National Action Plan
Against Trafficking in Persons and National Rapporteur of the
Commission for Citizenship and Gender Equality (CIG),
Presidency of the Council of Ministers;

Monitoring Center for Trafficking in Persons, Ministry
of the Interior(www.otsh.mai.gov.pt);

Ministry of Justice;

Association for Family Planning (APF);

Foreigners and Borders Service (SEF);

Judiciary Police (PJ);

High Commission for Immigration and Inter-cultural
Dialogue (ACIDI);

Portuguese Association for Victim Support (APAV);

International Organization for Migration (IOM);

Commission for the Equality and Rights of Women (CIDM).

Credible information on trafficking can also be found on the
Cooperation, Action, Investigation and World Vision (CAIM)
web site (www.caim.com.pt) (see paragraph 25B for information
on the government's anti-trafficking project CAIM). This
comprehensive site has been available since February 2007 and
provides a wealth of information, including CAIM's
objectives, national/international partnerships and
legislation, links to government and NGOs for assistance to
victims, information guide for victims, media coverage of
trafficking cases, and national and international trafficking
reports. Trafficking statistics in Portugal, including

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numbers of investigations, prosecutions, and convictions, are
available on the website since April 2008. Access to
sensitive data is closely controlled and only available
through passwords obtained from CAIM on an as needed basis.
At Portugal's request, various countries, including Brazil,
have incorporated the CAIM link into their TIP websites.

Since 2008, the Portuguese Ministry of the Interior has been
leading and coordinating the transnational project
"Trafficking in Persons - Data Collection and Harmonized
Information Management System." Partner countries include
Slovakia, Poland, and the Czech Republic. The main goal of
this data-gathering project, co-financed by the European
Commission, is to develop, consolidate, and share common
trafficking indicators to strengthen anti-trafficking
policies and programs in partner countries.

1B. Portugal is a country of origin, transit, and destination
for internationally trafficked men, women, and children for
commercial sexual exploitation and/or forced labor.
Trafficking occurs across a mostly uncontrolled border with
Spain and also within Portugal, including the autonomous
regions of Madeira and the Azores. It does not occur in
territory outside the government's control. A full-time body
run by the Ministry of Interior (with assistance from other
government agencies and NGOs) to monitor and gather data on
trafficking-related developments has been in operation since
January 2007. Trafficking data are collected in a central
database using input from the various entities that track
trafficking cases, including police, security sources, and
NGOs. According to this monitoring center, most victims
identified in 2009 were foreigners found in the northern
region of Portugal, their average age was 30 years old, and
75 percent were women.

Women: The majority of victims is from Brazil and is
trafficked for the purpose of sexual exploitation in bars and
clubs. Typically, victims are women with little education.
The majority is legal immigrants with proper documents and
valid visas. Traffickers of these women often use Portugal
as a springboard to other European Union destinations.

Men: Victims are mainly from Eastern Europe (Ukraine,
Moldova, Russia, Romania), Brazil, and African lusophone
countries. They are trafficked for forced labor in the

construction, agricultural, and hotel industries.

Children: Neither government authorities nor NGOs have direct knowledge of trafficking of children but estimate that there may be 50-100 Roma minors, who were brought to Portugal by family networks and are forced by parents or relatives to work as street beggars.

There have been no changes in the origin or destination of trafficking victims since the last TIP report. The persons trafficked are mainly women from Brazil (for sexual exploitation) and, to a lesser extent, from Eastern Europe (Ukraine, Moldova, Russia, Romania), Brazil, and African countries (Nigeria and lusophone countries). Some trafficking victims transit through Portugal en route to other European countries.

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Portugal is not a significant country of origin; however, there have been media reports of Portuguese victims of forced labor in Spain and the Netherlands.

Since its election in March 2005, the Socialist government has initiated key measures to address human trafficking. In December 2005, it launched a pilot project (CAIM - Cooperation, Action, Investigation and World Vision) to combat the trafficking of women for sexual exploitation in Portugal. In 2007, this project added combating trafficking for labor exploitation to its list of objectives. Task forces from the Ministries of Justice and Interior, the Commission for the Equality and Rights of Women (CIDM), the High Commission for Immigration and Inter-Cultural Dialogue (ACIDI), the International Organization for Migration (IOM), various NGOs, and security forces collaborated in designing the CAIM project and have been working together on a regular basis to carry out its objectives. As its main goals, CAIM established a full-time unit in the Ministry of Interior to monitor trafficking-related developments through the creation of a centralized comprehensive database that has been operational since January 2007. This monitoring center includes a registry for filing legal complaints (see paragraph 28F). In 2007, the GOP opened the first government-financed safe house specifically for trafficking victims.

1C. Women trafficked for sexual exploitation are kept in rooms/apartments in or near brothels or clubs. Upon arrival, their passports may be withheld and turned over to a brothel or club operator. Many, especially Brazilian women, initially consent to prostitution activities but may later be subject to threats and violence. Trafficked men are housed in similar conditions, usually close to construction sites where they work. They usually consent to the labor activity but are sometimes victims of violence, threats, fraud, coercion, peonage, and debt bondage. Police and NGOs have reported that Roma children, brought from Romania to Portugal by family networks, are sometimes forced by family members to beg on street corners.

Trafficking victims are not normally kept locked up. However, credible reports from former TIP victims describe limited freedom of movement, such as accompanied shopping trips.

1D. Persons more at risk of being trafficked are women, mostly from Brazil, for sexual exploitation, but there were also reports of men with little education and low socio-economic status being trafficked for forced labor.

1E. SEF reports that the majority of traffickers are Portuguese, Eastern European, and Brazilian men between the ages of 20 and 50, who are either independent businessmen or employees of prostitution-related commercial establishments. Victims are often promised lucrative jobs - as domestic servants, exotic dancers, or as prostitutes - and are usually

approached by friends of friends.

Brazilian and lusophone victims mostly arrive through one of

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Portugal,s various international airports. Victims from Eastern European countries enter Portugal mainly in cars or vans through the Spanish border. False documents are seldom used. Employment, travel, and tourism agencies and marriage brokers are rarely involved with or fronting for traffickers.

¶26. (U) SETTING THE SCENE FOR THE GOVERNMENT'S ANTI-TIP EFFORTS:

¶A. The Portuguese government recognizes that human trafficking is a problem and has undertaken serious efforts to address it, working closely with local and international NGOs on prevention, prosecution of traffickers, and protection of victims.

¶B. The following government agencies, led by the Commission for Citizenship and Gender Equality (CIG), are involved in anti-trafficking efforts:

Commission for Citizenship and Gender Equality (CIG),
under the Ministry for the Presidency of the Council of Ministers;

Monitoring Center for Trafficking in Persons, Ministry of Interior;

Ministry of Justice;

Ministry of Foreign Affairs;

Ministry of Labor and Social Security;

Foreigners and Borders Service (SEF);

Judicial Police (PJ);

Republican National Guard (GNR);

Public Security Police (PSP);

Dialogue (ACIDI);

Commission for the Equality and Rights of Women (CIDM);

and

Association for Family Planning (APF).

¶C. In spite of severe financial constraints, the current government has undertaken serious efforts to address the trafficking problem by providing supplementary funds to agencies linked to the CAIM project. Given the importance placed by the government on combating trafficking, additional funds have been made available for police training and for subsidies to NGOs that shelter and assist victims, as well as for the establishment and operation of the Monitoring Center for Trafficking. ACIDI depends on government funds and has received extra resources to address trafficking.

Institutional corruption is not a problem.

The government has increased resources to aid victims. It funds a safe house for trafficking victims (see paragraph 28B), and continues to refer victims to NGOs, for both protection and assistance. One of these NGOs, the Association for Victim Support (APAV), has a funding agreement with the government to receive subsidies covering 80 percent of its expenses (see paragraph 28C).

¶D. Since January 2007, the Monitoring Center for Trafficking Victims has been the official government entity specifically charged with gathering and processing trafficking data. Its

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website (www.caim.com.pt) makes publicly available government assessments of anti-trafficking efforts. Upon request, it provides to regional/international organizations, privately and directly, a password for access to more detailed data. The center is further tasked with sharing its information with appropriate legal, judicial, and health authorities and

preparing public awareness campaigns. As an integral part of the CAIM project, the center collaborates with CAIM partners in devising the GOP's trafficking policy responses. It also plays a key role in fostering collaborative anti-trafficking efforts with other governments. Between mid 2008 and 2009, the Monitoring Center published and made available, publicly and privately, two comprehensive TIP reports.

The implementation of the CAIM project has resulted in greater coordination among government entities and NGOs, facilitating statistical data gathering and making it more reliable and accurate. With the current penal code defining human trafficking as a distinct crime, annual statistical summaries compiled by the GOP now include TIP in its own statistical category. The Judiciary Police (PJ) and the Justice Ministry also monitor and gather trafficking statistics. Information gathering is also carried out by the government's High Commission for Immigration and Inter-Cultural Dialogue (ACIDI), the chief organization that coordinates assistance to trafficking victims and immigrants. All of these agencies pass their information to the Monitoring Center, working together in a concerted effort to produce reliable and accurate TIP statistics.

1E. The government revised the nationality law (Organic Law 2/2006, regulated by Decree-Law 237-A/2006) and the Immigration Law (Law 23/2007) to improve the identification of local populations. The revisions allowed for Portuguese nationality to be granted directly to the third generation and simplify the legal requirements for the second generation, in addition to granting all legal immigrants uniform legal status and helping to combat human trafficking and illegal immigration. Following these measures, the government implemented inter-ministerial strategies, such as the National Inclusiveness Action Plan, which targets more than just immigrant and ethnic minorities, and the Immigrant Integration Project (Council of Ministers Resolution 63-A/2007).

--F. The Inspectorate General of Internal Administration (IGAI), created in 1995, gathers information on all of the country's security forces and produces a comprehensive annual report with an in-depth assessment of law enforcement efforts. The IGAI carries out regular inquiries and on-site inspections of police force departments, some as a result of public complaints by individuals and civil society organizations.

127. (U) INVESTIGATION AND PROSECUTION OF TRAFFICKERS:

1A. Portugal has laws specifically prohibiting all forms of trafficking in persons. They are covered in Article 160 of the revised Portuguese penal code, in effect since September 15, 2007. These laws cover both internal and external (transnational) forms of trafficking. They broaden the

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previous definition of trafficking to cover both sexual and labor exploitation, and impose tougher penalties for trafficking crimes. Article 160 states the following:

- 1) Whoever offers, transfers, recruits, obtains, transports, holds or houses a person for the purpose of sexual or labor exploitation or extraction of organs:
 - a) Through the use of violence, kidnapping or serious threat;
 - b) Through deception or fraud;
 - c) Through abuse of power resulting from a relationship of hierarchical, economic, work or family dependency;
 - d) Taking advantage of psychological incapacity or a situation of special vulnerability of the victim; or
 - e) By obtaining the consent of the person who controls the victim;is subject to a prison sentence of 3 to 10 years.
- 2) The same sentence is applicable to whomever, through any means, entices, transports, houses or harbors a minor, or transfers, offers or accepts the minor for the purpose of

sexual or labor exploitation or the extraction of organs.

3) In the case of paragraph 2, if the agent uses any of the means stipulated in paragraph 1 or acts in a professional capacity or with monetary intentions, he/she is subject to a prison sentence of 3 to 12 years.

4) Whoever, through payment or other compensation, offers, transfers, solicits or obtains a minor, or obtains or provides consent for his/her adoption, is subject to a prison sentence of 1 to 5 years.

5) Whoever, having knowledge of the practice of the crime stipulated in paragraphs 1 and 2, uses the services or organs of the victim, is subject to a prison sentence of 1 to 5 years, if a harsher sentence is not applicable through other laws.

6) Whoever confiscates, hides, damages or destroys identification or travel documents of a victim of crimes stipulated in paragraph 1 and 2 is subject to a prison sentence of up to 3 years, if a harsher sentence is not applicable through other laws.

Furthermore, an immigration law (Law 23/2007, Section V, Articles 109-115), in effect since July 4, 2007, includes automatic residency permits for immigrant victims of labor and sexual trafficking who agree to cooperate with authorities to bring traffickers to justice. In 2009, the government granted six permanent residency permits to victims of trafficking.

There are laws against slavery (5 to 15 years in prison under Article 159 of the penal code) and the exploitation of prostitution by means of force, fraud or coercion (1 to 8 years in prison under Article 169).

Traffickers may also be prosecuted under other laws, such as labor-related crimes. By citing violations of multiple provisions, judges may hand down longer sentences.

On January 19, 2008, Portugal ratified the Council of Europe Convention on Action against Trafficking in Persons.

1B. The penalty for human trafficking for commercial sexual exploitation is 3 to 12 years imprisonment (see paragraph

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27A).

1C. The penalty for labor trafficking is 3 to 12 years imprisonment (see paragraph 27A). The trafficking laws provide for criminal punishment for labor recruiters in Portugal who engage in recruitment of laborers using knowingly fraudulent or deceptive offers that result in workers being trafficked in the destination country. Articles 159 (slavery, up to 15 years in prison) and 160 (trafficking - up to 12 years in prison) punish employers or labor agents who confiscate workers' passports or travel documents, switch contracts without the workers' consent or withhold payment of salaries as means of keeping the worker in a state of compelled service.

Before the revisions to the penal code went into effect, employers were held responsible for trafficking crimes under specific labor laws, outside of the penal code. Under the revised penal code, employers are now held criminally accountable for trafficking crimes and slavery. (See paragraph 27E for convictions.)

1D. The Portuguese penal code stipulates penalties of up to 10 years imprisonment for rape or forcible sexual assault.

1E. The Portuguese government investigated and prosecuted cases against human trafficking offenders during the reporting period. Final 2009 numbers of investigations, prosecutions, convictions, and sentences imposed have not been fully compiled by the Ministry of Justice. They will be made available to Post in mid-March. The Monitoring Center has informally provided us with the following unofficial

interim data (for the first six months of 2009) for our reference, which should not/not be used in the TIP report as it is pending approval for dissemination:

33 criminal proceedings in the trial phase involving the crimes of trafficking in persons for commercial sexual exploitation;
8 persons convicted for trafficking in persons;
172 persons convicted for trafficking in persons for commercial sexual exploitation;
3 persons convicted for trafficking of minors for commercial sexual exploitation.

One of the convictions is especially noteworthy. In May 2009, a Portuguese court sentenced seven Romanians to a total of 83 years in prison (an average of 12 years each) and deportation. This was the first sentence handed down for the specific crime of human trafficking under the 2007 amendments to the Penal Code. The human trafficking, criminal association, and pandering were proven and the court handed out heavy sentences to the four men and three women, who had been held in preventive detention since 2007, following their arrest in an SEF operation in Lisbon. The group trafficked into Portugal young women from poor families in Romania, some of them minors, for prostitution. At least nine victims testified.

1F. SEF officials and interns, as well as the GNR, receive periodic specialized training on how to recognize,

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investigate, and prosecute instances of trafficking. Since 2005, SEF training of its incoming inspector class (approximately 300 annually) has included a specific module on TIP enforcement. SEF has been using various documentaries, including "Lilya 4Ever," a film featuring an actual trafficking victim, in its training classes. Trainees are also prepared to treat victims of trafficking, as distinct from illegal immigrants and criminals.

As a result of training and awareness programs, the three national police forces (GNR, PSP, and PJ) have collaborated more closely with each other and with SEF authorities in combating trafficking crimes. There is increasing coordination among these entities in targeted police checks and smart raids on brothels, bars, and strip clubs. These raids involve extensive planning and information-gathering by undercover law enforcement officers and informants. Planned to ensure the safety of all involved and with post-rescue care arranged for trafficking victims, these raids have rescued victims while minimizing harm to others.

Furthermore, the activities of Eastern European trafficking rings, which began operating in Portugal in the early 1990s, have significantly dropped due to this increasingly effective police response. As a result, various rings were dismantled, prosecuted, and sentenced.

The ongoing court trial of a high-profile case involving a dismantled ring accused of trafficking women for sexual exploitation in a chain of bars called Passarelle began on October 8, 2007. The case involves 1,200 crimes, 24 suspects (including the bar owner), 26 illegal immigrant women, connections to seven districts in Portugal, 252 people contacted by investigators, and 100 seized telecommunication devices (cell phones, computers). Final ruling and verdict are expected by the end of February 2010.

--G. The Portuguese government cooperates with other European and non-European governments in the investigation and prosecution of trafficking cases. Portugal substantially enhanced prevention, monitoring, and trafficking control efforts in multilateral fora. The government placed immigration liaison officers in source countries, including Brazil, Mozambique, Romania, Ukraine, Cape Verde, and Senegal. SEF and the PJ have developed strong working

relations with international TIP working groups. They share and receive information through the EUROPOL organized crime database that the GOP co-developed with Spain, Italy, and Germany. SEF also has bilateral agreements with Germany's Bundeskriminalamt (BKA) and with Spain's Immigration Service, and has established a direct working relationship with Ukrainian authorities.

During the 2005 Luso-Spanish Summit, Portugal and Spain signed a police cooperation agreement to more closely monitor the external EU borders controlled by the two countries, i.e. the southern Mediterranean flanks and the Atlantic coast and the high seas. The agreement includes the strengthening of a transborder rapid alert system, already in force, and the setting up of joint police teams to crack down on the networks which traffic immigrants.

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¶H. We are not aware of any case where the government of Portugal extradited anyone for trafficking offenses committed in another country. Portugal is a signatory to the US-EU MLAT and Extradition Treaty and signed the bilateral implementing protocols with the United States in 2005. The Portuguese Constitution prohibits the extradition of Portuguese nationals (with the exception of those charged with committing acts of terrorism), and we are not aware of any intention to change that provision in the case of traffickers.

¶I. There is no evidence of government involvement in or tolerance of trafficking, neither on a local or institutional level. The government has a strong anti-trafficking policy and legislation prohibiting all forms of trafficking.

¶J. We have no evidence to suggest that government officials are involved in human trafficking.

¶K. There were no reported cases of Portuguese members of international peacekeeping missions, EU missions, or other similar missions involved in human trafficking.

¶L. Portugal does not have an identified child sex tourism problem. There is no credible evidence of sex tourists in Portugal, or evidence that Portuguese nationals are perpetrators of child sex tourism, either within the country or abroad. In October 2004, Portuguese courts began hearing evidence gathered over the previous year by public prosecutors in the high-profile "Casa Pia" case, in which eight defendants face charges that include procurement, rape, sexual acts with adolescents, and sexual abuse of minors. The case, which involves well-known Portuguese media figures and politicians, and has had the effect of raising public awareness of pedophilia. Final rulings are expected in the coming months.

¶28. (U) PROTECTION AND ASSISTANCE TO VICTIMS:

¶A. Government-assisted victims are provided shelter, employment, education, and access to legal, medical, psychological, and family reunification services. Some are provided legalization of residency status; others are repatriated to their countries of origin or third countries.

The law provides for repatriated victims to be assisted by a multi-disciplinary government team in cooperation with the IOM, consulates, and other public institutions. Support is provided throughout the entire repatriation process - before departure, during the trip, and upon arrival in the country of destination, which may be the country of origin or a third country. In order to prevent recurrence of victimization, Portuguese authorities continuously work with destination country authorities to ensure that the victim is safe and protected in the country of reintegration.

The government provided these protections in practice during the reporting period.

1B. Trafficking victims, both foreign and domestic, have access to various shelters throughout the country through

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referral by security forces, health care providers, and NGOs. Women and their children may be housed in the government's safe house specifically created for victims of trafficking. This shelter, opened in January 2007, is located in the northern region of Porto, has a capacity of eight, and is available to receive victims 24 hours a day. It employs five monitors, working in shifts, all of whom hold university degrees in areas such as psychology and social work. Referrals to the shelter are made by both police and NGOs. The Ministry of Interior offers security training to the shelter's staff and provides guards to patrol the vicinity of the safe house. Under special circumstances, former residents of the shelter may receive support from the shelter team outside of the shelter facilities.

Male victims of forced labor may be temporarily housed in hotels/motels, financed by the Ministry of Labor and Social Security, during which time they receive protection and assistance provided by the multi-disciplinary CAIM team.

Victims may also be referred to one of several national immigrant support centers (CLAI) of the High Commission for Immigration and Intercultural Dialogue (ACIDI) in Lisbon, Porto, or 78 local centers throughout the country, which provide immigrants with information and assistance. A large percentage of those assisted is provided employment and legalization status. Each center has various sources of information available to immigrants, including an SOS immigrant hotline, manned by a multilingual/multiethnic team, a multimedia stand, and pamphlets in three languages (Portuguese, English, and Russian). ACIDI provides assistance to between 1,100 and 1,200 immigrants, including trafficking victims, per day, at its headquarters in Lisbon, and 200 a day in the northern city of Porto. All ACIDI facilities provide victim care services.

The government also refers victims, including children of victims, to NGOs, such as APAV and religious orders Irmãs Adoradoras, Irmãs Oblatas, and Irmãs de Jesus Bom Pastor for protection and assistance.

APAV has one shelter in Porto, another in Lisbon and a third in the southern Algarve region. APAV Algarve assisted eight trafficking victims in 2009. The Irmãs Adoradoras operate 6 shelters across the country that take in victims of all types of violence, including trafficking victims. In order to maintain the quality of their services, each shelter is limited to a total capacity of 30, which includes victims and their children. Maximum stay is six months but extensions are considered on a case-by-case basis.

In both the government safe house and the NGO shelters, victims are allowed a 30-60 day reflection period to decide whether they will press charges against the traffickers. Regardless of their decision, they have the right to a one-year residency permit.

Under the penal code, the identity of trafficking victims (and victims of other crimes of a sexual nature) cannot be revealed by the press without consent by both the victim and the Office of the Attorney General.

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1C. The government provides funding and other forms of support to foreign and domestic NGOs for services to victims. APAV receives approximately 80 percent of its funding from the government. The Irmãs Adoradoras receive a fixed subsidy for each victim assisted, including children of victims. The

Center for Women's Shelter and Orientation, run by Irmas Oblatas, receives an annual government subsidy through the Lisbon City Hall.

1D. The government assists foreign trafficking victims by providing shelter, employment, education, and access to legal, medical, psychological, and family reunification services. Some are provided legalization of residency status; others are repatriated.

1E. After leaving the government-run shelter, former residents may receive support from the shelter team outside of the shelter facilities to aid the victims in rebuilding their lives. This support includes assistance with obtaining employment, returning to school, registering for professional training courses, and obtaining public medical and dental services.

1F. Victims who are detained, arrested or placed in protective custody by law enforcement authorities are transferred to the government safe house or to NGOs for short-term care. Increased awareness by authorities and greater coordination have yielded positive results. A growing number of GNR and PSP stations have specific designated areas to hold and assist TIP victims. Security forces have begun to work closely with the government shelter team to transfer victims to the government safe house: in 2009, there were three cases in which the shelter was previously informed by the police of upcoming raids on bars suspected of being involved in trafficking activities. The shelter team accompanied the security forces during these raids, providing immediate assistance and support to the rescued victims.

In 2007, the Ministry of Interior launched an online crime reporting system. All forms of crimes, including trafficking for sexual and labor exploitation, may be reported. Complaints may be submitted by nationals or foreigners residing in Portugal or present on national territory. Those submitting complaints must identify themselves. Crimes reported on this website are investigated by the Public Security Police, the Republican National Guard, and the Foreigners and Borders Service. The site offers detailed information on trafficking crimes, including legislation, ways to identify trafficking victims, and means of assistance to victims. The identity of victims is protected.

1G. The government does not yet have available the total number of TIP victims identified during the reporting period. The TIP Monitoring Center will provide this data in March. During 2009, twelve victims were referred to the government shelter for assistance by law enforcement authorities.

1H. The Monitoring Center for Trafficking in Persons implemented reliable procedures to facilitate the gathering of comprehensive trafficking data. All security forces are

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required to fill out a standard detailed form if they suspect that a person involved in prostitution or violation of immigration laws is a victim of trafficking, and to submit it to the monitoring center. This form was originally designed for sexual exploitation cases only but was expanded in 2007 to encompass cases of labor exploitation. This form is carefully analyzed by the center's working group, made up of multi-agency staff, which cross-references each case with social services and immigration data. If the case is considered trafficking, it is recorded in the database. All government officials involved in anti-trafficking cases have access to this confidential form.

In 2008, the Portuguese Ministry of Interior took the lead in coordinating the transnational project "Trafficking in Human Beings - Data Collection and Harmonized Information Management System." Partner countries include Slovakia, Poland, and the Czech Republic. The main goal of this data-gathering project, co-financed by the European

Commission, is to develop, consolidate and share common trafficking indicators to improve trafficking policies and programs in partner countries.

¶I. The rights of victims are respected. Police officers receive training on identifying trafficking victims and differentiating them from criminals. Victims who are initially detained are later transferred to the government-managed safe house, ACIDI or NGOs for protection and assistance. Victims are not fined or prosecuted for violations of other laws.

¶J. The Portuguese government, through legal services provided by ACIDI, encourages victims to assist in the investigation and prosecution of trafficking. During the reporting period, and with the support of SEF officials, six victims assisted in the investigation and prosecution of traffickers, and were granted residency status in Portugal. Victims may file civil suits and seek legal action against traffickers. There is no impediment to victims' access to such legal redress. If a victim is a material witness in a court case against a former employer, the victim may obtain other employment or leave the country pending trial proceedings. ACIDI operates a victim restitution program that includes employment services, education programs, and access to medical, psychological, and family reunification services.

¶K. SEF officials and interns, as well as GNR, PSP, and PJ officers receive periodic specialized training on how to recognize, investigate, and prosecute instances of trafficking. SEF training of its inspector class, approximately 300 per year, includes a specific module on TIP enforcement. Inspectors are trained in how to assist victims of trafficking, as distinct from illegal immigrants and other criminals. ACIDI staff also receives similar training.

Under the CAIM project, the government has extended its training to healthcare professionals to be better able to recognize victims of trafficking and to subsequently refer them to the appropriate health services and counseling.

The Monitoring Center staff also organizes specialized

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training courses, made up of multidisciplinary teams from various ministries. In December 2009, a team comprised of Monitoring Center staff, the Ministry of Labor and Social Security and SEF officials provided training to magistrates who handle TIP cases. In February 2010, a team from the Monitoring Center also trained labor inspectors from the Labor Ministry.

Through the placement of liaison officers in source countries such as Brazil and Mozambique, the government provides training to its embassy and consulate employees on how to protect and assist trafficking victims, and urges them to develop ongoing relationships with NGOs that serve TIP victims.

¶L. The government provides assistance to its nationals who are repatriated as TIP victims.

¶M. The following international organizations and NGOs work with trafficking victims in Portugal:

- International Organization for Migration (IOM);
- Portuguese Association for Victim Support (APAV);
- Portuguese Catholic Office for Migrations (OCPM);
- Religious Entities, Commission for Peace and Justice (CJPR);
- Portuguese Charities Association (CP);
- Trafficking Victims, Support Committee (CAVITP);
- Roma Pastoral Office (SPC);
- Religious Order Irmas Adoradoras;
- Religious Order Irmas Oblatas;
- Religious Order Irmas de Jesus Bom Pastor;

O Ninho;
Portuguese chapter of Doctors of the World;
Portuguese Red Cross; and
CAIS - Social Solidarity Association.

These organizations provide protection, food, and shelter, as well as medical and employment services. Many have signed protocols with the government-run shelter, and provide facilitators to work with the victims housed there. The government provides funding and other forms of support to some of these NGOs for their services. For example, APAV receives approximately 80 percent of its funding from the government, and Irmãs Adoradoras receives a fixed subsidy for each victim, including children of victims.

129. (U) PREVENTION:

1A. The government conducted anti-trafficking education campaigns during the reporting period. State-owned RTP television broadcasts a daily program "Nos" ("We") on immigration, covering a wide spectrum of immigrant-related issues, including human trafficking. It aims to raise awareness and increase prevention of human trafficking and sexual exploitation among immigrants in Portugal.

RTP broadcasts, on a regular basis, public service ads warning against trafficking. These ads are funded by the government (ACIDI), media (Diário de Notícias daily

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newspaper, TSF radio station, LusoMundo media group), and NGOs (IOM and APAV).

The GOP provides pamphlets and anti-TIP campaign posters to Portuguese embassies and consulates around the world, as well as to international airports in countries of origin and destination.

Furthermore, Portuguese media coverage of the trial of the Casa Pia orphanage child abuse case significantly raised awareness of the TIP problem in Portugal and constituted a compelling public awareness campaign. Although the overwhelming majority of sexual crimes against minors occurs within the family unit and is not considered trafficking, the attention focused on Casa Pia raised awareness not only of child abuse but also of TIP-related sexual exploitation.

The Monitoring Center is currently translating an anti-TIP manual targeted to journalists on how to properly investigate and report human trafficking stories.

In October 2010, the Monitoring Center will begin work on a new trafficking prevention campaign to target various groups, including potential trafficking victims, and the demand for trafficking.

In 2007, the government appointed lawyer Vitalino Canas the first Inspector General for Temporary Labor. This entity is responsible for receiving and inspecting labor complaints from workers in temporary jobs. The Inspector General is also responsible for proposing regulations, informing workers of their rights, issuing recommendations, and promoting public discussions.

According to the Monitoring Center, because of increased TIP awareness brought about in large part by anti-TIP campaigns, a growing number of students are preparing Ph.D. TIP-related theses.

1B. The government monitors immigration and emigration patterns for evidence of trafficking through the Monitoring Center. Although border checks have been removed since Portugal and Spain implemented the Schengen Agreement in 1995, SEF officials remain vigilant and continue to monitor Portugal's border with Spain for cases of trafficking.

According to a government survey of deported women and women not allowed to leave Brazil, carried out in the international airport in Sao Paulo, Portugal tops the list of countries that most effectively bars Brazilian women from entering the country. Twenty-five percent of these women admitted they had planned to work as prostitutes in the country of destination.

¶C. With the establishment of the Monitoring Center, there is now a central body for coordination and communication among the various government agencies, international bodies, and NGOs on trafficking-related matters. This larger, wider-ranging multi-agency working group assumed the responsibilities of the government-commissioned trafficking in persons task force established in January 2005 and led by

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the GNR.

The Central Directorate for Combating Corruption, Fraud, and Economic and Financial Crimes is the government agency responsible for combating all forms of corruption.

¶D. The government has a national plan of action to address trafficking in persons. The national plan, adopted in June 2007, is the culmination of two years of work carried out by the CAIM project, in close collaboration with government agencies and NGOs. CAIM regularly consults and exchanges information with the Foreigners and Borders Service (SEF), the three police forces (GNR, PJ, and PSP), and NGOs. It has also established transnational partnerships with Italy, Lithuania, Poland, Germany, and Estonia, to exchange trafficking information with their security forces.

¶E. As of September 2007, the penal code provides specific penalties for clients who knowingly procure the services of a trafficking victim for sexual purposes (Article 160, paragraph 5).

¶F. There is no evidence that Portuguese nationals participate in international child sex tourism. The government established in July 2007 the "Internet Segura" (Safe Internet) project (www.internetsegura.pt) to increase awareness of and to report illegal contents on the internet. The project, part of the European Program "Safer Internet Plus", is made up of a consortium coordinated by the Knowledge Society Agency (UMIC) and includes the Directorate-General for Innovation and Curricular Development Task Force of the Education Ministry, the National Scientific Computing Foundation (FCCN), and Microsoft Portugal. This project educates and informs the public on how to protect themselves and their children from the dangers of the internet. Approximately 85,000 copies of an Internet Safety Guide oriented to the general public were distributed through a Portuguese newspaper. The project includes a hotline - linhaalerta.internetsegura.pt - for citizens to report illegal or harmful contents. Reported cases undergo a preliminary screening of contents, which establishes whether the case will go to the Judicial Police or to the competent international authorities for further investigation.

¶G. The government provides specific anti-TIP training to all Portuguese nationals (military troops as well as members of the GNR and PSP) deployed abroad as part of peacekeeping or other similar missions prior to deployment to ensure that they do not engage in or facilitate trafficking or exploit TIP victims.

¶30. (U) PARTNERSHIPS

¶A. The GOP engages with other governments, civil society, and multilateral organizations to focus attention and devote resources to addressing human trafficking. It works closely with numerous local NGOs in civil society (see paragraph 28M). Internationally, the GOP has anti-TIP collaboration

agreements with Italy (Associazione On the Road), Germany (IOM Deutschland), Estonia (National Institute for Health Development), Lithuania (Missing Persons, Families Support

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Center), Poland (La Strada Fundacja Przeciwko Handlowi Kobietami), Brazil, and Spain.

For more reporting from Embassy Lisbon and information about Portugal, please see our Intelink site:

<http://www.intelink.sgov.gov/wiki/portal:portugal>
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